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Order Regarding Motion for Sentence Reduction

## UNITED STATES DISTRICT COURT

NORTHERN

District of

NEW YORK

UNITED STATES OF AMERICA

vs.

ADIB BRANTLEY

**ORDER REGARDING MOTION FOR  
SENTENCE REDUCTION PURSUANT TO 18  
U.S.C. § 3582(c)(2) AND APPOINTMENT OF  
COUNSEL**

Case

Number: 5:06-cr-0315-012

USM

Number: 13897-052S. Lance Cimino, Esq.

Defendant's Attorney

Date of Previous Judgment: December 13, 2007

(Use Date of Last Amended Judgment if Applicable)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motions are:☒ DENIED.**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)Previous Offense Level: 29

Amended Offense Level:

Criminal History Category: VI

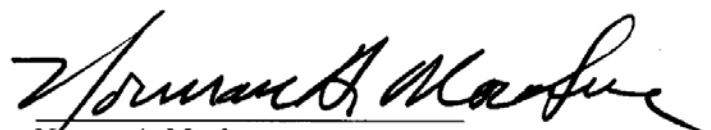
Criminal History Category:

Previous Guideline Range: 151 to 188 monthsAmended Guideline Range:    to    months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**☐ The reduced sentence is within the amended guideline range.☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.☐ Other (**explain**): \_\_\_\_\_**III. ADDITIONAL COMMENTS**

The reduction pursuant to 18 U.S.C. § 3582 was already calculated into defendant's sentence, imposed on December 13, 2007.

**IT IS SO ORDERED.**July 14, 2008

Order Date



Norman A. Mordue

Chief United States District Court Judge

Effective Date (if different from order date)